IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION.

APPEAL FROM ORDER NO. 727 OF 2006

Shri Lalji Lachmandas ...Appellants
v/s.
Shri Leelavati Krishnarao Raut
(since deceased) through legal heirs
Smt. Nutan K. Raut & ors. …Respondents

Ms. Rutuja Ambekar for the appellants.

CORAM: B.P.DHARMADHIKARI, J.
11th October, 2012.

PC:

The facts of this appeal are same as in Appeal from Order No. 316/2006 disposed of today by me. The proceedings arise out of Special Civil Suit No. 2925/2000 filed by present appellant-plaintiff against the respondents. The impugned order dated 3rd March, 2006 passed by very same Court is identical but it is on Notice of Motion No. 4051/2004.

Hence, for reasons already recorded while allowing AO No. 316/2006 present appeal is also allowed. Accordingly, proceedings in SC Suit No. 2925/2000 are restored back to file for its further trial in accordance with law. No costs.

(B.P. DHARMADHIKARI, J)

L.S.Panjwani, P.A.